

REMARKS

In an Office Action mailed November 17, 2004, all of the claims were rejected. The primary basis for rejection was the combination of prior patents to Baxstrom and Gibbs, alone or in combination with other references. The applicant believes the claims to be allowable in their original state, and respectfully reserves the right to pursue those claims in this or a later application. Nonetheless, in this response, certain of the claims have been amended in order to advance the case to allowance. Accordingly, the Applicant respectfully requests reconsideration and allowance of the pending claims.

Rejections under Section 102

The Office Action rejected claims 1, 4-6, 10, 11, 13, 20, 21, and 25-28 under Section 102(b) as being anticipated by Baxstrom. Applicant respectfully disagrees that Baxstrom teaches the claimed inventions. In this paper, however, the applicant will not argue the distinctions between Baxstrom and the rejected claims. Instead, the applicant has amended the claims in order to advance to case to allowance.

Claim 1 has been amended to add further detail to the swing reference guide. In particular, as amended, it provides, "a swing reference guide comprising a plurality of shot selection types, the swing reference guide further being configured in a plurality of rows and a plurality of columns." The applicant is not aware of any prior art that teaches claim 1 as amended, including the swing reference guide being configured in tabular form with a plurality of rows and columns as claimed. Although the applicant disagrees that Baxstrom taught a swing reference guide as previously claimed, Baxstrom clearly does not teach such a guide set forth in accordance with the amended claim. As such, claim 1 is in condition for allowance.

Claim 5 has also been amended, providing yet further detail for the swing reference guide. As amended, claim 5 requires that within the swing reference guide "the plurality of columns and the plurality of rows define a plurality of cells, and further wherein the cells along a


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BLACK LOWE & GRAHAM ^{PLLC}


701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301

first row or column depict a plurality of different ball flight paths, the cells along a second row or column indicate a shot selection, and the cells along a third row or column depict a club face angle indicator.” This limitation further defines the content of the swing reference guide in a novel way not found in the prior art.

All of the remaining claims depend from claim 1, and most of them depend from amended claim 5. Accordingly, the remaining claims should be in condition for allowance at least because they depend from an allowable base claim.

Rejections under Section 103

Most of the claims were also rejected under Section 103 in view of the combination of Baxstrom in view of Gibbs, Long, and Florian. None of these references, alone or in combination, teaches the invention of the claims as amended. The claims should therefore be in condition for allowance.

CONCLUSION

Applicant requests reconsideration and allowance of the pending claims.

Respectfully submitted,

BLACK LOWE & GRAHAM^{PLLC}



Lawrence D. Graham
Registration No. 40,001
Direct Dial: 206.381.3304

MAIL CERTIFICATE

I hereby certify that this communication is being deposited with the United States Postal Service via first class mail under 37 C.F.R. § 1.08 on the date indicated below addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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BLACK LOWE & GRAHAM^{PLLC}



701 Fifth Avenue, Suite 4800
Seattle, Washington 98104
206.381.3300 • F: 206.381.3301